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SRI S. DAIVASIGAMONEY :—" Sir, it is said that Shoranur is the Sheffield of India. That being so, will the Government think of taking over the factory and run it themselves? "

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I may tell the hon. Member, even in Sheffield, Government would not care to take over an industry if it is in the position of the industry in Shoranur."

MR. SPEAKER :—" Questions over."

[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—ADJOURNMENT MOTION *RE* FAILURE OF GOVERNMENT TO RELEASE PERSONS CONVICTED IN CONNECTION WITH MUDUKAD (KOOTHALI ESTATE) EVICTION.

MR. SPEAKER :—" Hon. Member Dr. K. B. Menon has given notice of an adjournment motion to discuss a matter of urgent public importance. The motion reads as follows :—

'I move that the business of the House be adjourned to discuss a matter of urgent public importance, namely, the failure of the Government to allow the evicted families to go back to their homes and for not releasing those arrested and convicted in connexion with Mudukad (Koothali Estate) eviction.'

" I remember to have admitted a question on this yesterday and I gave full time to the House to discuss that matter by putting supplementaries. I do not know how this comes under a matter of urgent public importance."

* DR. K. B. MENON :—" Mr. Speaker, Sir, the House was fully apprised of the gravity of the situation when we walked out of the Assembly in the last sitting as a protest against the failure of the Government to allow families that have been in occupation of the land to continue to be in possession of those lands and in ordering their eviction on the ground that their title to the property was not quite good. Convinced as we were of the right of the families to retain possession of the property, we adopted the dual method of Satyagraha and of negotiation with the Government. Government after eviction of about 13 families saw the justice of the demand of the families and ordered stay of eviction proceedings and also asked Mr. Satthianathan, Member, Board of Revenue, to go and investigate all the problems connected with the Koothali Estate. It was also part of the agreement or understanding with the Government that the families evicted would be allowed to go back to their homes and also release all prisoners convicted in connexion with the Satyagraha. It was on these understandings that we called off the Satyagraha on the 11th. But the Government did neither. Thirteen families consisting of about 70 or 80 old men, women and children are now in the streets."

MR. SPEAKER :—" Let the hon. Member convince me that this matter comes under rule 41."

* DR. K. B. MENON :—" Let me state the facts of the case, Sir. Government have not carried out what they have promised. I have been after the Government to implement these understandings and Government are sticking to their demand that action could be taken only after the receipt of the report. I do not understand the logic of this. If it is prestige that stands in the way, I would like to tell the Government that *satyagraha* is not a battle to win a point but it is more a matter of penance at the altar of truth and justice and that there is no victor or vanquished and that there should therefore be no residue left of resentment, ill-will or ill-feeling. The failure of the Government to discharge their responsibilities has vitiated the situation and other parties are taking advantage of the deteriorating situation to trespass and poach and get advantages for themselves, something for nothing.

12-10 p.m. " Sir, I would like to tell them that when we undertook the satyagraha campaign we did so with the confidence that we would be able to shoulder the responsibility single-handed. We do not want any sympathetic satyagraha started on that score now. Sir, I am moving this adjournment motion because I feel that it is the right and responsibility of the satyagrahis to come to this House and represent the matter . . ."

MR. SPEAKER :—" Somebody might have offered satyagraha but that does not mean that the business of this House should be suspended."

* DR. K. B. MENON :—" The families of the satyagrahis are estranged now and in the light of that fact, the sympathy and support of this House should be invoked for rendering relief to the starving families of the satyagrahis."

MR. SPEAKER :—" Anybody may offer satyagraha and is it necessary that the business of this House should be suspended for that purpose? "

* SRI T. C. NARAYANAN NAMBIAR :—" Mr. Speaker, Sir, this is a motion which, I hope, the Chair will be kind enough to allow for discussion. Sir, this involves a vital matter affecting lakhs and lakhs of people in Malabar. Though the hon. Member, Dr. Menon, does not want the support of other parties and other people than his own to demonstrate their sympathy for the suffering people, I may say that it is not the monopoly of one party or group to demonstrate it."

MR. SPEAKER :—" Yesterday I allowed enough of supplementaries to a question on this subject."

* SRI T. C. NARAYANAN NAMBIAR :—" The Praja Socialist Party which first initiated the satyagraha has now come to an understanding with the Government . . ."

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MR. SPEAKER :—" The hon. Member need not go into that aspect of the question. Let him speak on the motion before the House."

SRI T. C. NARAYANAN NAMBIAR :—" The responsibility of the Government comes in here, because they have violated the alleged agreement already entered into and the Praja Socialist Party has now withdrawn the so-called satyagraha. Now, under the auspices of the Malabar Kisan Sangh, the democratic people of Malabar are conducting the satyagraha campaign and hundreds of women also participate in it. The evicted tenants of Mudukad are stranded in the streets and they are given no lands. In this connexion, 7,157 people from Koothali and suburbs have submitted petitions to this House and it is our duty to invite the attention of this House and evoke the sympathy of the House. The Government should see that the evicted families are restored their holdings. They should also withdraw all cases pending against people connected with this estate struggle and lease waste lands to the landless people. To consider all these matters, the adjournment motion, I submit, should be allowed by the Chair."

MR. SPEAKER :—" Now the hon. Member, Sri Narayana Kurup, should convince me that this matter comes within the scope of an adjournment motion."

* SRI M. NARAYANA KURUP :—" Mr. Speaker, Sir, if it were a mere case of satyagraha for which the Government were not responsible, the Hon. Speaker's observations would have been perfectly correct but it was not the case. The Government are directly responsible for the prevailing state of affairs and it is on account of that that this adjournment motion has to be brought in. It is in that way a matter of importance . . ."

MR. SPEAKER :—" But it has been going on or a long time and it is not an event which has occurred yesterday or recently."

SRI M. NARAYANA KURUP :—" Sir, the terminology 'long time' is a comparative one but this is only in the sense that the facts now stated are of very recent occurrence and the Assembly met only recently, a few days ago. Therefore, I think it has not been going on for a very long time.

" I would only welcome the support of any party in favour of the down-trodden people and the under-dogs of society. But we would not be a party to a case where the help rendered by those persons will, directly or indirectly, hinder the achievement of our objective. It is only in such cases that we will not like such help. Therefore, there is no question of the Praja Socialist Party keeping at arm's length any other party and we welcome

any support from any party. Sir, this is a matter of recent occurrence and urgent public importance which comes directly under the concern of the Government."

* THE HON. SRI M. A. MANICKAVELU :—" Sir, I submit that this motion does not satisfy the requirements of an adjournment motion. As regards the urgency and importance of the matter I am willing to make a statement now if I am allowed to do so by the Chair."

MR. SPEAKER :—" I allow it."

* THE HON. SRI M. A. MANICKAVELU :—" Sir, late Koothali Nayar died on 8th July 1936. By an order passed by the Government on 10th October 1942, the estate has escheated to the Government. The estate consists of properties distributed in 63 villages (desams) and they consist of survey and unsurveyed lands. There are three Malavarams (Hilly tracts) in this estate. Pannikkottur Malavaram measuring 6,000 acres is under the management of the Forest Department since 1944 and the lands in this area are not available for being leased out. Pillapperuvanna Malavaram measuring about 30,000 acres in extent has also been brought under the Madras Forest Act, 1882, and as such, the area comprised in this Malavaram will not also be available for being leased out. It is said that about 220 acres of low-lying lands in this Malavaram can be brought under cultivation at a high cost. The third Malavaram called Vallipetta Malavaram, is a surveyed one measuring about 1,200 acres, the whole of which is under cultivation from about 1948. Annual leases are being granted at the rate of 5 acres for each family for fugitive cultivation. There are surveyed lands other than Malavarams and these surveyed lands are occupied by tenants. The extent of such lands is about 7,600 acres. An extent of 1,240 acres said to be belonging to Mamkavu temple was presumably under the management of Koothali Nayar and that extent is now under the management of the Hindu Religious Endowments Board. Similarly an extent of 1,160 acres in Wynaad taluk which is said to belong to a temple (devaswom) and which was presumably under the management of Koothali Nayar, has been transferred to the management of the Hindu Religious Endowments Board. The estate had under its direct cultivation over 500 acres and that extent is scattered in four villages. The report of the Collector shows that there has been no demand for taking lease of these portions.

" One Jose trespassed over a portion of Pillapperuvanna Malavaram and granted sub-leases to some persons. To evict the sub-leases the Government obtained a decree in O.S. No. 43 of 1951 on the file of the Sub-Court, Tellicherry. The extent comprised in that suit is 49·60 acres. It is said to consist of 17 plots. In execution of the decree, the Government have obtained possession of 14 plots measuring 27 acres 78 cents.

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Possession has not yet been recovered of the remaining area of 21 acres 82 cents comprised in 3 plots. The total number of persons evicted is 70. Three persons (defendants 2, 16 and 25) are said to be interested in the remaining three plots. In addition to the extent of property covered by O.S. No. 43 of 1951, the defendants in that suit and others are alleged to have trespassed over other plots and occupied lands measuring 138·38 acres. Proceedings under the Land Encroachment Act have been taken in respect of this extent of 138·38 acres.

" The Government have filed two suits, O.S. No. 79 of 1953 and O.S. No. 81 of 1953 on the file of the Sub-Court, Tellicherry, for setting aside certain alienations and for recovery of possession of some properties comprised in the estate of late Koothali Nayar. O.S. No. 79 of 1953 was disposed of on 31st December 1954 and the Court has upheld 9 out of 27 alienations and has set aside the rest. The Court has upheld the validity of the escheat. The trial of O.S. No. 81 of 1953 is in progress. This relates to Pillapperuvanna Malavaram. 12-20 p.m.

" Socialists and Communists, with a view to take advantage of the situation, have come upon the scene. Satyagraha was threatened to be offered and 8 persons were taken into custody by the police and remanded and are being proceeded against under section 107, Criminal Procedure Code. In connexion with the evictions, resistance was offered and so far 86 persons have been arrested. Ten criminal cases have been filed against these 86 persons. Out of these 10 cases, 7 in which 67 persons were accused have since been disposed of awarding imprisonment ranging from 1 to 3 months.

" On the representation of Dr. K. B. Menon, M.L.A., the Government in Memorandum No. 14916 of 1954, dated 8th January 1955, stayed the eviction proceedings in O.S. No. 43 of 1951 until further orders by Government. The proceedings taken under the Land Encroachment Act have also been stayed pending further orders. Further representations were made by Dr. K. B. Menon for restoring to possession persons evicted from lands in execution of the decree in O.S. No. 43 of 1951. The Government passed the orders in Memorandum No. 14916 of 1954 to the effect that *status quo* should be maintained and there should be no further evictions but also there should be no restoration of plots to the possession of persons evicted therefrom. The Government have directed Sri W. R. S. Sathianathan, I.C.S., Second Member of the Board of Revenue, to make a full enquiry into the circumstances of Koothali Estate and his report is expected to be received by 15th February 1955. The Government expect to be able to pass orders soon.

"Sir, the trouble is that there is now a competition between the Communist Party and the Praja Socialist Party as to who should get the laurels in this agitation. The Government are not concerned with it and they want to do the right thing. As I have already said there have been so many cases and sentences of imprisonment have been awarded that we have deputed a Member of the Board of Revenue to go to the place and make an enquiry. His report is expected today. I will go into it and do the needful as early as possible. Under these circumstances, Sir, I hope the motion will not be pressed. Even otherwise the motion is not in order, I submit, Sir."

MR. SPEAKER :—" It should be left to the Chair to say whether the motion is in order or not."

SRI T. C. NARAYANAN NAMBIAR :—" Sir, by way of a personal explanation, I want to make it clear to the House, to you, Sir, and to the Hon. the Minister for Land Revenue that there is no rivalry between the Communist Party and the Praja Socialist Party. The anxiety of the Communist Party is only to see that the peasantry are saved. If those who have no houses to live and no lands to cultivate are given the waste lands on lease without any struggle, we will be the happiest persons in the country."

Another hon. Member stood up for making a personal explanation.

MR. SPEAKER :—" I am not going to allow any further personal explanations. I would like to know whether Dr. K. B. Menon is pressing his motion or not. If he is pressing his motion, he knows what is the ruling that I am going to give."

* DR. K. B. MENON :—" Sir, I accept the explanation of the Hon. the Minister for Land Revenue excepting the facts that the Government have not done what they should have done, that there is no question of any rivalry but a deteriorating situation and that the Government have failed to carry out their part of the agreement."

MR. SPEAKER :—" Is the hon. Member Dr. K. B. Menon not pressing his motion? "

* DR. K. B. MENON :—" I am not pressing the motion."

SRI M. KALYANASUNDARAM :—" Sir, he is not pressing the motion."

MR. SPEAKER :—" Then we will go to the next item on the agenda."